

# UNITED STATES DISTRICT COURT

for the  
DISTRICT OF MINNESOTA

PRESTON BYRON KNAPP

*Plaintiff,*

vs.

WINGS CREDIT UNION;  
AKA WINGS FINANCIAL CREDIT UNION.

*Defendants.*

Cause No: 0:24-cv-00434-DWF-ECW

## PLAINTIFF'S NOTICE TO THE COURT

PLEASE TAKE NOTICE that the Plaintiff, PRESTON BYRON KNAPP, by and through, Preston Byron Knapp, states as follows:

All officers of the court for the United States District Court, for the District of Minnesota, are hereby placed on notice under authority of the *supremacy* and *equal protection clauses* of the United States Constitution and the common law authorities of *Haines v Kerner*, 404 U.S. 519, *Platsky v. C.I.A.* 953 F.2d. 25, and *Anastasoff v. United States*, 223 F.3d 898 (8th Cir. 2000) relying on *Willy v. Coastal Corp.*, 503 U.S. 131, 135 (1992), *United States v. International Business Machines Corp.*, 517 U.S. 843, 856 (1996), quoting *Payne v. Tennessee*, 501 U.S. 808, 842 (1991) (Souter, J., concurring). *Trinsey v. Pagliaro*, D.C. Pa. 1964, 229 F. Supp. 647, *American Red Cross v. Community Blood Center of the Ozarks*, 257 F.3d 859 (8th Cir. 07/25/2001).

*In re Haines*: pro se litigants (Plaintiff is a pro se litigant) are held to less stringent pleading standards than BAR registered attorneys. Regardless of the deficiencies in their pleadings, pro se litigants are entitled to the opportunity to submit evidence in support of their claims. *In re Platsky*: “court errs if court dismisses the pro se litigant (Plaintiff is a pro se litigant) without instruction of how pleadings are deficient and how to repair pleadings.” *In re Anastasoff*: litigants’ constitutional rights are violated when courts depart from precedent where parties are similarly situated. All litigants have a

constitutional right to have their claims adjudicated according to the rule of precedent. *See Anastasoff v. United States*, 223 F.3d 898 (8th Cir. 2000). Statements of counsel, in their briefs or their arguments are not sufficient for a motion to dismiss or for summary judgment, *Trinsey v. Pagliaro*, D.C. Pa. 1964, 229 F. Supp. 647.

Dated: March 16<sup>th</sup>, 2024

RESPECTFULLY SUBMITTED,

BY: /s/ Preston Byron Knapp  
Preston Byron Knapp  
Plaintiff, Pro Se  
[Pknapp5@gmail.com](mailto:Pknapp5@gmail.com)  
(262) 496-8083

### **CERTIFICATE OF SERVICE**

I hereby certify that on March 16<sup>th</sup>, 2024, a copy of the foregoing *Notice to the Court* was filed with the Clerk of this Court as is required by Pro Se litigants. Plaintiff further certifies that this Motion was served on all attorneys of record.

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